

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT G. DREWS,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,

Defendant.

Case No. 13-10421

HON. TERRENCE G. BERG

HON. MICHAEL J. HLUCHANIUK

ORDER TEMPORARILY GRANTING
DEFENDANT'S MOTION FOR PROTECTIVE ORDER (DKT. 52)
PENDING FURTHER BRIEFING AND FINAL ADJUDICATION

On July 27, 2015, Defendant filed an emergency motion requesting a protective order that would prevent Plaintiff from conducting second trial depositions of his treating physicians, Drs. Vinay Pampati, Vittorio Morreale, and Donald Knapke. (Dkt. 52, p. 1.) The parties deposed these witnesses on July 22, 23, and 24, 2015. (*Id.* at 2.) Defendant alleges that Plaintiff intends to depose the witnesses again, beginning on July 31, 2015, without seeking leave from the Court. (*Id.* at 1.) Defendant argues that allowing these second trial depositions to proceed would be prejudicial because Plaintiff would have the benefit of “full knowledge of American’s trial strategy and approach with respect to these witnesses.” (*Id.* at 2-3.)

Although Defendant is no doubt aware of this Court’s practice guidelines that require parties to contact the Court *prior* to filing any discovery motions, the Court will not, given the pressing nature of this dispute, strike Defendant’s motion in this instance for failure to comply.

In order to give Defendant's motion due consideration, the Court orders the following:

1. Defendant's motion for a protective order is temporarily **GRANTED** pending further briefing and final adjudication. The second trial depositions for Drs. Knapke, Pampati, and Morreale are therefore adjourned pending the Court's ruling on the instant motion.
2. Plaintiff shall file a response to Defendant's motion on or before Friday, July 31, 2015.
3. The parties are directed to appear on Tuesday, August 4, 2015 via telephone at 10:00 a.m. for a telephonic hearing regarding Defendant's motion. Counsel for Defendant shall initiate the call and include the Court when all parties are present.

IT IS SO ORDERED.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: July 28, 2015

Certificate of Service

I hereby certify that this Order was electronically submitted on July 28, 2015, using the CM/ECF system, which will send notification to each party.

By: s/A. Chubb
Case Manager